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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/293,217	04/16/1999	JOSEPH C. LIBERTI	APP1108-US	4575

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EXAMINER	
SMITH, SHEILA B	

ART UNIT	PAPER NUMBER
2681	

DATE MAILED: 02/12/2004

16

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/293,217	LIBERTI ET AL.	
	Examiner	Art Unit	
	Sheila B. Smith	2681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) *3-6 and 12-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) *3-6 and 12-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 3-6,12,13,17 rejected under 35 U.S.C. 103(a) as being unpatentable over Padovani et al. (U. S. Patent Number 5,535,239).

Regarding claims 3-6, Padovani et al. discloses all of the claimed invention as set forth in the instant application, additionally Padovani et al. discloses a data burst randomizer, further Padovani et al. discloses a transmitting frames of data (figure 2b) over a wireless access system each frame having a plurality of data slots (figure 2b), comprising the steps of identifying the types of traffic being transmitted (80,86) between a first communication device and a second communication device (which reads on column 7 lines 28-29); reserving at least one data slot in a frame for each type of traffic being transmitted between the first communication device and the second communication device (which reads on column 6 lines 59-64); and including a control time slot (which reads on mask)in the frame that identifies the first communication device (which reads on column 13 lines 65-67 and column 14 lines 1-16), and the traffic type of each data slot in the frame (which reads on column 4 lines 40-56). However Padovani et al. fails to discloses a control time slot in the frame that identifies the second communication device.

The examiner contends, however, that such a feature is well known in the art and the examiner takes official notice as such.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify Padovani et al. with a control time slot in the frame that identifies the second communication device for the purpose of providing additional security to the data transmission in that it will only be known to the base station and the mobile stations.

Regarding claims 12, 13, Padovani et al. discloses all of the claimed invention as set forth in the instant application, additionally Padovani et al. discloses a data burst randomizer, further Padovani et al. discloses a transmitting frames of data (figure 2b) over a wireless access system each frame having a plurality of data slots (figure 2b), comprising the steps of identifying the types of traffic being transmitted (80,86) between a first communication device and a second communication device (which reads on column 7 lines 28-29); reserving at least one data slot in a frame for each type of traffic being transmitted between the first communication device and the second communication device (which reads on column 6 lines 59-64); and including a control time slot (which reads on mask)in the frame that identifies the first communication device (which reads on column 13 lines 65-67 and column 14 lines 1-16), and the traffic type of each data slot in the frame (which reads on column 4 lines 40-56). However Padovani et al. fails to discloses a control time slot in the frame that identifies the second communication device.

The examiner contends, however, that such a feature is well known in the art and the examiner takes official notice as such.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify Padovani et al. with a control time slot in the frame that identifies the second communication device for the purpose of providing additional security to the data transmission in that it will only be known to the base station and the mobile stations.

Regarding claim 17, Padovani et al. discloses all of the claimed invention as set forth in the instant application, additionally Padovani et al. discloses a data burst randomizer, further Padovani et al. discloses a transmitting frames of data (figure 2b) over a wireless access system each frame having a plurality of data slots (figure 2b), means for identifying the types of traffic being transmitted (80,86) between a first communication device and a second communication device (which reads on column 7 lines 28-29); means for reserving at least one data slot in a frame for each type of traffic being transmitted between the first communication device and the second communication device (which reads on column 6 lines 59-64). However Padovani et al. fails to discloses a control time slot in the frame that identifies the second and third communication devices.

The examiner contends, however, that such a feature is well known in the art and the examiner takes official notice as such.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify Padovani et al. with a control time slot in the frame that identifies the second and third communication devices for the purpose of providing additional security to the data transmission in that it will only be known to the base station and the mobile stations.

Claims ~~3-6,12,13,17~~ 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Padovani et al. (U. S. Patent Number 5,535,239) in view of Manchester et al. (U. S. Patent Number 6,628,657).

Regarding claims 14, 16, Padovani et al. discloses all of the claimed invention as set forth in the instant application, additionally Padovani et al. discloses a method and system for

wireless internet access, However Padovani et al. fails to discloses a plurality of times slots includes at least on time slot for transmitting voice traffic.

In the same field of endeavor, Manchester et al. discloses a method and system for transporting synchronous and asynchronous traffic on a bus of a telecommunication node. In addition Manchester et al. discloses the use of a plurality of times slots includes at least on time slot for transmitting voice traffic as disclosed in column 2 lines 8-20 and column 4 lines 52-55 and column 5 lines 15-40 and exhibited in figure 1.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to improve ~~Parr~~ Padovani et al. by modifying the a method and system for wireless internet access with the use of a plurality of times slots includes at least on time slot for transmitting voice traffic, as taught by Manchester et al. for the purpose of extracting a signal of interest.

Regarding claim 15, Padovani et al. discloses all of the claimed invention as set forth in the instant application, additionally Padovani et al. discloses a method and system for wireless internet access, However Padovani et al. fails to discloses a plurality of times slots includes at least on time slot for transmitting video traffic.

In the same field of endeavor, Manchester et al. discloses a method and system for transporting synchronous and asynchronous traffic on a bus of a telecommunication node. In addition Manchester et al. discloses the use of a plurality of times slots includes at least on time slot for transmitting ~~voice~~ video traffic as disclosed in column 2 lines 8-20 and column 4 lines 52-55 and column 5 lines 15-40 and exhibited in figure 1.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to improve ~~Parr~~ Pedoeri et al. by modifying the a method and system for wireless internet access with the use of a plurality of times slots includes at least one time slot for transmitting video traffic, as taught by Manchester et al. for the purpose of extracting a signal of interest.

Response to Arguments

2. Applicant's arguments with respect to claims 3-6,12-17 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheila B. Smith whose telephone number is (703)305-0104. The examiner can normally be reached on Monday-Thursday 6:00 am - 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran can be reached on 703-305-4040. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

S. Smith
February 5, 2004

ERIKA GAFFY
PATENT EXAMINER